

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

WILNICK DORVAL,)	
)	
Plaintiff,)	
)	
v.)	Civil No. 2018-29
)	
SAPPHIRE VILLAGE CONDOMINIUM)	
ASSOCIATION, BERNARD)	
VANSLUYTMAN, JOANNE LEVESQUE,)	
CLARENCE LEVESQUE, LOURDES)	
CORDERO, THOMAS CORDERO, SIDNEY)	
JARVIS, NICHOLAS OVERMEYER,)	
RICHARD W. O'DELL, MICHELE)	
LANGE, TODD FARRAND, NORA)	
IBRAHIM, SARAH WHITE, ELLEN)	
HANSEN, MICHAEL BAIRD, MATTHEW)	
SWOPE, MARK MAROLF, MADLON)	
JENKINS RUDZIAK, JAMES)	
KOULOURIS, MOUSSA MUSTAFA,)	
CLAUDIA WOLDOW)	
)	
Defendants.)	

APPEARANCES:

Wilnick Dorval

St. Thomas, U.S.V.I.
Pro se plaintiff,

Michael E. Fitzsimmons

Stryker, Duensing, Casner & Dollison
St. Thomas, U.S.V.I.
*For Sapphire Village Condominium Association, Sidney
Jarvis, and Michael Baird,*

Bernard M. Vansluytman

St. Thomas, U.S.V.I.
Pro se defendant,

John H. Benham, III

St. Thomas, U.S.V.I.
For Joanne Levesque,

Carol Ann Rich

Dudley & Rich

St. Thomas, U.S.V.I.

For Lourdes Cordero and Thomas Cordero,

Andrew Simpson

Law Offices of Andrew Simpson

St. Croix, U.S.V.I.

*For Sapphire Village Condominium Owners Association, Sidney
Jarvis, Michael Baird, Nicholas Overmeyer, Todd Farrand,
and Michele Lange,*

Matthew Swope

Nora Ibrahim

Moussa Mustafa

Sara White

Ellen Hansen

James Koulouris

Madlon Jenkins-Rudziak

Claudia A. Woldow

Pro se defendants.

ORDER

GÓMEZ, J.

Before the Court is the motion of Wilnick Dorval ("Dorval") to refer this case to the United States Virgin Islands Attorney General for criminal prosecution.

Dorval's motion is problematic for several reasons. First, to the extent Dorval wishes to have the Court share certain matters, of which Dorval is aware, and which did not occur in the presence of the Court, with the Virgin Islands Attorney General, the Court is unaware of any impediment to Dorval doing so himself. Moreover, the Court is disinclined to create a

precedent for the Court serving as a broker or envoy for litigants' complaints to prosecuting authorities.

Second, to the extent Dorval invites this Court to direct a prosecuting authority to investigate or criminally prosecute a matter, the Court must decline this invitation.

Indeed, while the Court may refer conduct occurring in Court or directly affecting an ongoing proceeding to the appropriate authorities, the Court does not have authority to direct a prosecutor to investigate or bring criminal charges. See *United States v. Batchelder*, 442 U.S. 114, 124, 99 S. Ct. 2198, 60 L. Ed. 2d 755 (1979) ("Whether to prosecute and what charge to file or bring before a grand jury are decisions that generally rest in the prosecutor's discretion.").

The premises considered, it is hereby

ORDERED that Wilnick Dorval's motion to refer this case to the Virgin Islands Attorney General is **DENIED**.

S\ _____
Curtis V. Gómez
District Judge